

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

STEVEN A. WICKS, CAROLINE WICKS,	:	CIVIL ACTION NO. 4:09-CV-1084
WILLIAM BLAIR and GEORGE	:	
BIDLESPACHER,	:	(Judge Conner)
Plaintiffs	:	
	:	
v.	:	
	:	
DUDLEY ANDERSON, KENNETH	:	
BROWN, LYCOMING COUNTY, KEVIN	:	
WAY, WILLIAM BURD, and DANIEL	:	
MATHERS,	:	
Defendants	:	

ORDER

AND NOW, this 24th day of November, 2010, upon consideration of the report of United States Magistrate Judge William T. Prince (Doc. 47), recommending that defendants' motions to dismiss (Docs. 33, 34) be granted, and, following an independent review of the record and noting that plaintiffs Steven Wicks, Caroline Wicks, William Blair and George Bidlespacher filed objections¹ to the report on November 8, 2010 (Doc. 50), and the court finding Judge Prince's analysis to be thorough and well-reasoned, and the court finding plaintiffs' objections to be without merit and squarely addressed by Judge Prince's report (Doc. 47), it is hereby ORDERED that:

¹ Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at *3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at *6 (M.D. Pa. Sept. 8, 2008)).

1. The report of Magistrate Judge Prince (Doc. 47) is ADOPTED.
2. Defendants' motions to dismiss (Docs. 33, 34) are GRANTED.
3. Plaintiffs' amended complaint is DISMISSED, with the exception of the claim in Count III against Daniel Mathers.
4. Plaintiffs shall effect service on Defendant Mathers within thirty (30) days or their complaint against him will be dismissed.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge